

ESTTA Tracking number: **ESTTA662032**


Filing date: **03/19/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91219335
Party	Plaintiff Braniff International Property Company
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY PLLC 344 MAPLE AVENUE WEST, PBM 151 VIENNA, VA 22180 UNITED STATES mswyers@thetrademarkcompany.com
Submission	Other Motions/Papers
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	03/19/2015
Attachments	Notice of Ineffective Service_3-19-2015.pdf(82287 bytes) Notice of Ineffective Service_3-19-2015 Exhibits.pdf(357912 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

In the matter of Serial Nos. 86/278,358 & 86/319,634,

For the marks  & BRANIFF INTERNATIONAL AIRWAYS,

Braniff International Property Company,

Opposer,

vs.

Braniff Holdings, Inc.,

Applicant.

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Opposition No. 91219335

NOTICE OF INEFFECTIVE SERVICE

Braniff International Property Company (hereinafter “Opposer”) hereby notifies the Trademark Trial and Appeal Board that service of Opposer’s Opposition to Applicant’s Motion to File Answer Late on Applicant Braniff Holdings, Inc. (hereinafter “Applicant”) in the above-identified case has been ineffective. Attached as Exhibit A is a copy of the envelope mailed to Applicant on February 20, 2015 and returned to Opposer on March 12, 2015 by the U.S. Postal Service. Opposer then sent an email to Applicant’s email address currently of record, notifying him of the ineffective service and requesting an update of Applicant’s address. *See* Exhibit B. Opposer’s email was returned with a message that it could not be delivered. *See* Exhibit C.

Furthermore, service of Opposer’s Motion for Leave to File Opposition to Applicant’s Motion to File Answer Late on Applicant Braniff Holdings, Inc. (hereinafter “Applicant”) in the above-identified case has been ineffective. Attached as Exhibit D is a copy of the envelope mailed to Applicant on February 23, 2015 and returned to Opposer on March 18, 2015 by the U.S. Postal Service. Opposer again sent an email to Applicant’s email address currently of record, notifying him of the ineffective service and requesting an update of Applicant’s address. *See* Exhibit E. Opposer’s email was returned with a message that it could not be delivered. *See* Exhibit F.

Opposer is unaware of a newer address or email address for the Applicant. Opposer states that this Notice of Ineffective Service was filed with the Trademark Trial and Appeal Board within ten (10) days of the date of receipt of the returned service copies.

Respectfully submitted this 19th day of March, 2015.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

344 Maple Avenue West, Suite 151

Vienna, VA 22180

Tel. (800) 906-8626

Facsimile (270) 477-4574

mswyers@TheTrademarkCompany.com

Counsel for Opposer



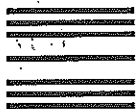
2703 Jones Franklin Rd., Suite 206
Cary, NC 27518

بسم الله الرحمن الرحيم

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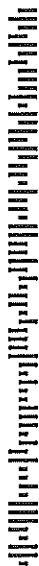
SECRET

7-11-1961



062S0006287108

\$0.480
US POSTAGE
FIRST-CLASS
FROM 22180
FEB 20 2015
stamps.com



Anthony J Rossi
Braniff Holdings Inc
200 Park Ave, Suite 1700
New York NY 10166-0005

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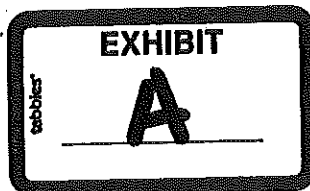
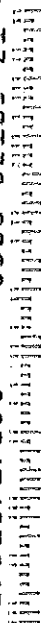
ST/EO/3000

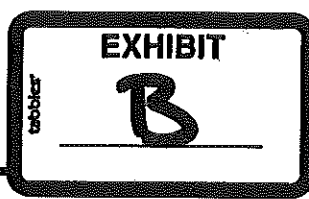
NOT RETURN TO SENDER
DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

EC: 27518717256

2751807172

* ⑤ ⑥ ⑦ ⑧ ⑨ ⑩ ⑪ ⑫ ⑬ ⑭ ⑮





Shannon Strayhorn

From: Shannon Strayhorn <sstrayhorn@thetrademarkcompany.com>
Sent: Friday, March 13, 2015 5:00 PM
To: 'info@braniffholdings.com'
Subject: Braniff International Property Company vs. Braniff Holdings, Inc.

Mr. Rossi,

Plaintiff's Opposition to Applicant's Motion to File Answer Late was returned to our office yesterday, on March 12, 2015 by the U.S. Postal Service. The letter was sent to the following address:

Anthony J Rossi
Braniff Holdings Inc
200 Park Ave, Suite 1700
New York, NY 10166-0005

Please let us know your correct address for future mailings.

Thank you,

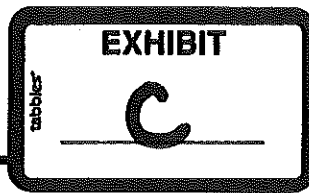
Shannon Strayhorn

Trademark Specialist
The Trademark Company, PLLC
2703 Jones Franklin Road, Suite 206
Cary, NC 27518
Phone (800) 906-8626 x111
Fax (919) 861-5278
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Shannon Strayhorn

From: MAILER-DAEMON (Mail Delivery System)
Sent: Friday, March 13, 2015 5:01 PM
To: sstrayhorn@thetrademarkcompany.com
Subject: Undelivered Mail Returned to Sender
Attachments: details.txt; Undelivered Message Headers.txt

This is the mail system at host smtp18.relay.iad3a.emailsrvr.com.

I'm sorry to have to inform you that your message could not be delivered to one or more recipients. It's attached below.

For further assistance, please send mail to postmaster.

If you do so, please include this problem report. You can delete your own text from the attached returned message.

The mail system

<info@braniffholdings.com>: Host or domain name not found. Name service error
for name=braniffholdings.com type=A: Host found but no data record of
requested type

details

Reporting-MTA: dns; smtp18.relay.iad3a.emailsrvr.com
X-SMTP-Server-Queue-ID: 9E64F2804BF
X-SMTP-Server-Sender: rfc822; sstrayhorn@thetrademarkcompany.com
Arrival-Date: Fri, 13 Mar 2015 17:00:39 -0400 (EDT)

Final-Recipient: rfc822; info@braniffholdings.com
Original-Recipient: rfc822;info@braniffholdings.com
Action: failed
Status: 5.4.4
Diagnostic-Code: X-SMTP-Server; Host or domain name not found. Name service
error for name=braniffholdings.com type=A: Host found but no data record of
requested type

Undelivered Message Headers

Return-Path: <sstrayhorn@thetrademarkcompany.com>
Received: from smtp18.relay.iad3a.emailsrvr.com (localhost.localdomain [127.0.0.1])
by smtp18.relay.iad3a.emailsrvr.com (SMTP Server) with ESMTTP id 9E64F2804BF
for <info@braniffholdings.com>; Fri, 13 Mar 2015 17:00:39 -0400 (EDT)
Received: by smtp18.relay.iad3a.emailsrvr.com (Authenticated sender:
sstrayhorn-AT-thetrademarkcompany.com) with ESMTPSA id 188272804C1
for <info@braniffholdings.com>; Fri, 13 Mar 2015 17:00:38 -0400 (EDT)
X-Sender-Id:sstrayhorn@thetrademarkcompany.com
Received: from TMC013 ([TEMPUNAVAIL]. [97.67.147.154])
(using TLSv1 with cipher AES256-SHA)
by 0.0.0.0:465 (trex/5.4.2);
Fri, 13 Mar 2015 21:00:39 GMT
From: "Shannon Strayhorn" <sstrayhorn@thetrademarkcompany.com>
To: <info@braniffholdings.com>
Subject: Braniff International Property Company vs. Braniff Holdings, Inc.
Date: Fri, 13 Mar 2015 17:00:29 -0400
Message-ID: <00d301d05dd0\$c2924150\$47b6c3f0\$@thetrademarkcompany.com>
MIME-Version: 1.0
Content-Type: multipart/alternative;
boundary="-----_NextPart_000_00D4_01D05DAF.3B83D5A0"
X-Mailer: Microsoft Outlook 14.0
Thread-Index: AdBdvk8OrcCsp9TLTKmVqTqv5wF7UA==
Content-Language: en-us



**The Trademark
Company**

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Cary, NC 27518



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US POSTAGE
FIRST-CLASS
FROM 22180
FEB 23 2015
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Anthony J Rossi
Braniff Holdings Inc
200 Park Ave, Suite 1700
New York NY 10066-0005

KTS

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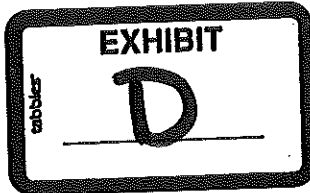
0003/10/15

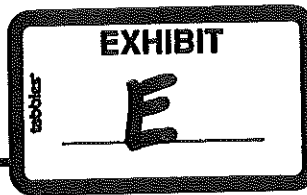
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

27518 07172

BC: 27518717256 *1248-02011-24-45

039





Shannon Strayhorn

From: Shannon Strayhorn <sstrayhorn@thetrademarkcompany.com>
Sent: Thursday, March 19, 2015 10:13 AM
To: info@braniffholdings.com
Subject: Braniff International Property Company vs. Braniff Holdings, Inc.

Mr. Rossi,

Plaintiff's Motion for Leave to File Opposition to Applicant's Motion to File Answer Late was returned to our office yesterday, on March 19, 2015 by the U.S. Postal Service. The letter was sent to the following address:

Anthony J Rossi
Braniff Holdings Inc
200 Park Ave, Suite 1700
New York, NY 10166-0005

Please let us know your correct address for future mailings.

Thank you,

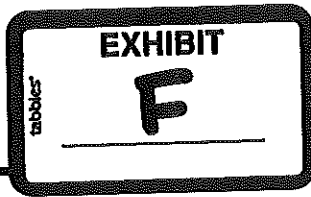
Shannon Strayhorn

Trademark Specialist
The Trademark Company, PLLC
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Phone (800) 906-8626 x111
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Shannon Strayhorn

From: MAILER-DAEMON (Mail Delivery System)
Sent: Thursday, March 19, 2015 10:13 AM
To: sstrayhorn@thetrademarkcompany.com
Subject: Undelivered Mail Returned to Sender
Attachments: details.txt; Undelivered Message Headers.txt

This is the mail system at host smtp31.relay.iad3a.emailsrvr.com.

I'm sorry to have to inform you that your message could not be delivered to one or more recipients. It's attached below.

For further assistance, please send mail to postmaster.

If you do so, please include this problem report. You can delete your own text from the attached returned message.

The mail system

<info@braniffholdings.com>: Host or domain name not found. Name service error
for name=braniffholdings.com type=A: Host found but no data record of
requested type

details (2)

Reporting-MTA: dns; smtp31.relay.iad3a.emailsrvr.com
X-SMTP-Server-Queue-ID: 0C6A2380080
X-SMTP-Server-Sender: rfc822; sstrayhorn@thetrademarkcompany.com
Arrival-Date: Thu, 19 Mar 2015 10:12:56 -0400 (EDT)

Final-Recipient: rfc822; info@braniffholdings.com
Original-Recipient: rfc822;info@braniffholdings.com
Action: failed
Status: 5.4.4
Diagnostic-Code: X-SMTP-Server; Host or domain name not found. Name service
error for name=braniffholdings.com type=A: Host found but no data record of
requested type

Undelivered Message Headers (2)

Return-Path: <sstrayhorn@thetrademarkcompany.com>
Received: from smtp31.relay.iad3a.emailsrvr.com (localhost.localdomain [127.0.0.1])
by smtp31.relay.iad3a.emailsrvr.com (SMTP Server) with ESMTTP id 0C6A2380080
for <info@braniffholdings.com>; Thu, 19 Mar 2015 10:12:56 -0400 (EDT)
Received: by smtp31.relay.iad3a.emailsrvr.com (Authenticated sender:
sstrayhorn-AT-thetrademarkcompany.com) with ESMTPSA id 65CC5380302
for <info@braniffholdings.com>; Thu, 19 Mar 2015 10:12:55 -0400 (EDT)
X-Sender-Id:sstrayhorn@thetrademarkcompany.com
Received: from TMC013 ([TEMPUNAVAIL]. [97.67.147.154])
(using TLSv1 with cipher AES256-SHA)
by 0.0.0.0:465 (trex/5.4.2);
Thu, 19 Mar 2015 14:12:56 GMT
From: "Shannon Strayhorn" <sstrayhorn@thetrademarkcompany.com>
To: <info@braniffholdings.com>
Subject: Braniff International Property Company vs. Braniff Holdings, Inc.
Date: Thu, 19 Mar 2015 10:12:51 -0400
Message-ID: <002d01d0624e\$cb9d28f0\$62d77ad0\$@thetrademarkcompany.com>
MIME-Version: 1.0
Content-Type: multipart/alternative;
boundary="====_NextPart_000_002E_01D0622D.448E2100"
X-Mailer: Microsoft Outlook 14.0
Thread-Index: AdBiTr93SkhQB6qlRI6OywhISdPBHW==
Content-Language: en-us